

# **EXHIBIT 9**

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
CASE NO. 24CVS002727-100

RYAN STEVENS,

Plaintiff,

v.

MONTREAT COLLEGE, DR. PAUL J.  
MAURER, DR. DANIEL BENNETT,  
DR. DOROTHEA SHUMAN, and DR.  
RYAN ZWART,

Defendants,

**MOTION TO DISMISS**

Defendants Montreat College, Dr. Paul J. Maurer, Dr. Daniel Bennett, Dr. Dorothea Shuman, and Dr. Ryan Zwart move, pursuant to Rules 12(b)(2), 12(b)(3), 12(b)(4), and 12(b)(5) of the North Carolina Rules of Civil Procedure, for an order dismissing the above-captioned action. In support of this motion, Defendants show:

1. On 9 July 2024, the Buncombe County Sheriff's Office personally delivered a copy of the complaint and a document entitled "Summons in a Civil Action" (the "Purported Summons") to Defendants Montreat, Maurer, and Bennett.
2. On 31 July 2024, the Buncombe County Sheriff's Office personally delivered a copy of the complaint and a Purported Summons to Defendant Shuman.
3. As of the date of this motion, no attempted service has been made on Defendant Zwart.
4. None of the Purported Summonses are valid summonses under North Carolina law. *Latham v. Cherry*, 111 N.C. App. 871, 874, 433 S.E.2d 478, 481 (1993).

5. This Court does not have personal jurisdiction over any of the Defendants because they have not been properly served with valid summonses.

6. Venue is improper for some or all of Plaintiff's claims because they are the subject of a prior pending action.

7. Upon information and belief, no valid summonses were issued within five days after the complaint was filed.

WHEREFORE, Defendants respectfully ask the Court to enter an order dismissing this action.

**WOMBLE BOND DICKINSON (US) LLP**

By:

  
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*Counsel for Defendants Montreat College, Dr. Paul J. Maurer, Dr. Daniel Bennett, Dr. Dorothea Shuman, and Dr. Ryan Zwart*

## CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing to be served upon Plaintiff Ryan Stevens by causing it to be deposited in the United States mail, postage prepaid, addressed as follows:

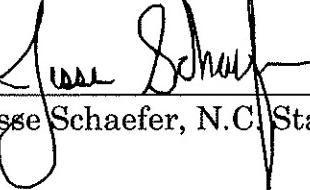
Ryan Stevens  
23 Sleepy Hollow Lane  
Swannanoa, NC 28778

*Plaintiff pro se*

This the 8th day of August, 2024.

**WOMBLE BOND DICKINSON (US) LLP**

By:

  
Jesse Schaefer, N.C. State Bar No. 44773